

## DETAILED ACTION

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 1/14/2011 has been entered.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. **Claims 16-18, 20-26, 28-34, 36-42, 44-46** are rejected under 35 U.S.C. 103(a) as being unpatentable over Morohashi (US 2001/0030827 A1), hereinafter "**Morohashi**" and in view of Morohashi (US 2004/0223245 A1), hereinafter "**Morohashi-2**".

**As per claim 1**, Morohashi teaches an information processing apparatus comprising:

- "a networking device that communicates with an external apparatus" at Fig. 6;

Art Unit: 2166

- “a storage that stores an album of a plurality of content data and a transfer log indicating whether each of the plurality of content data has been transferred to the external apparatus” at [0124]-[0131]; and Fig. 5;
- “a processing unit configured to identify certain content data from the plurality of content data of the album when the transfer log indicates that certain content data has never been transferred to the external apparatus” at [0154]-[0170];
- “the processing unit further configured to control a display of information about the album, the processing unit further configured to start a transfer of the certain content data to the external apparatus, when the album has been selected and the certain content data has never been transferred to the external apparatus” at [0154]-[0170] and Fig. 8;
- “and the processing unit further configured to update the transfer log when the networking device transfers the certain content data to the external apparatus” at [0147].

Morohashi does not explicitly teach identifying certain content data "upon a reception of a device ID of the external apparatus from the external apparatus" as claimed. However, Morohashi teaches at [0136] a similar system wherein the portable apparatus also has a unique ID for distinguishing the portable apparatus individually from others. Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine Morohashi's teachings so that “it is possible to create a list of programs applicable only to a specific portable recording and playback apparatus” as suggested by Morohashi-2 at [0136].

**As per claim 17**, Morohashi and Morohashi-2 teach the apparatus of claim 16 discussed above. Morohashi-2 also teaches: wherein “when the networking device receives the device ID from the external apparatus, the processing unit identifies the transfer log based on the device ID” at [0136].

**As per claim 18**, Morohashi and Morohashi-2 teach the apparatus of claim 16 discussed above. Morohashi also teaches: wherein “the processing unit is further configured to determine albums including the certain content data and to determine other content data held in the albums for a transfer to the external apparatus” at Fig. 8.

**As per claim 20**, Morohashi and Morohashi-2 teach the apparatus of claim 16 discussed above. Morohashi also teaches: wherein “the processing unit is further configured to cause a display device to display information about albums including the certain content data and, upon a selection of the albums in response to the displayed information, to transfer other content data from the selected albums to the external apparatus” at [0094]-[0096] and Figs. 5, 8.

**As per claim 21**, Morohashi and Morohashi-2 teach the apparatus of claim 20 discussed above. Morohashi also teaches: wherein “the processing unit is further configured to cause the display device to display the information about the albums based on the transfer log of the certain content data” at [0094]-[0096] and Figs. 5, 8.

**As per claim 22**, Morohashi and Morohashi-2 teach the apparatus of claim 16 discussed above. Morohashi also teaches: wherein “the processing unit is further configured to determine albums having only content data that has never been transferred to the external apparatus and to determine content data held in the albums to be transferred to the external apparatus” at [0154]-[0170] and Fig. 8.

**As per claim 23**, Morohashi and Morohashi-2 teach the apparatus of claim 22 discussed above. Morohashi also teaches: wherein “the processing unit is further configured to determine the content data to be transferred to the external apparatus based on the transfer log” at [0154]-[0170] and Fig. 8.

**As per claim 24**, Morohashi and Morohashi-2 teach the apparatus of claim 16 discussed above. Morohashi also teaches: wherein “the processing unit is further configured to cause a display device to display information about albums having only content data that has never been transferred to the external apparatus and, upon a selection of the album in response to the displayed information, to transfer content data from the selected albums to the external apparatus” at [0094]-[0096] and Figs. 5, 8.

**As per claim 25**, Morohashi and Morohashi-2 teach the apparatus of claim 24 discussed above. Morohashi also teaches: wherein “the processing unit is further configured to cause the display device to display the information about the albums based on the transfer log” at [0094]-[0096] and Figs. 5, 8.

**As per claim 26**, Morohashi and Morohashi-2 teach the apparatus of claim 16 discussed above. Morohashi also teaches: wherein “the processing unit is further configured to acquire the transfer log from the external apparatus” at Figs. 6A-C.

**As per claim 28**, Morohashi and Morohashi-2 teach the apparatus of claim 16 discussed above. Morohashi also teaches; wherein “the certain content data is defined by a song” at [0004].

**As per claim 29**, Morohashi and Morohashi-2 teach the apparatus of claim 16 discussed above. Morohashi also teaches: wherein “the networking device transfers the certain content data to the external apparatus based on a determination whether the certain content data has previously been transferred to the external apparatus” at [0154]-[0170] and Fig. 8.

**As per claim 30**, Morohashi and Morohashi-2 teach the apparatus of claim 29 discussed above. Morohashi also teaches: wherein “the networking device transfers the certain content data to the external apparatus when the determination indicates that the certain content data has not previously been transferred to the external apparatus” at [0154]-[0170] and Fig. 8.

**Claims 31-34, 36-42, 44-46** recite similar limitations as in claims 16-18, 20-26, 28- 30 and are therefore rejected by the same reasons.

***Response to Arguments***

4. Applicant's arguments with respect to claims **16-18, 20-26, 28-34, 36-42, 44-46** have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

Examiner's Note: Examiner has cited particular columns and line numbers in the references applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

In the case of amending the Claimed invention, Applicant is respectfully requested to indicate the portion(s) of the specification which dictate(s) the structure relied on for proper interpretation and also to verify and ascertain the metes and bounds of the claimed invention.

The prior art made of record, listed on form PTO-892, and not relied upon, if any, is considered pertinent to applicant's disclosure.

Art Unit: 2166

If a reference indicated as being mailed on PTO-FORM 892 has not been enclosed in this action, please contact Lisa Craney whose telephone number is **(571) 272-3574** for faster service.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KHANH PHAM whose telephone number is (571)272-4116. The examiner can normally be reached on Monday through Friday 7:30am to 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain Alam can be reached on (571) 272-3978. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Khanh B. Pham/  
Primary Examiner  
Art Unit 2166

November 1, 2011